

# City of Oconomowoc Common Council Meeting Minutes October 17, 2023 - 7:30 PM



**Aldermen Present:** Matt Mulder, Charles Schellpeper, Andrew Moroni, Chris Douglas, Matt Rosek, Jennifer Aultman Kloth, Kevin Ellis, Karen Spiegelberg

**Also Present:** Robert Magnus, Eric Boettcher, Lucas Caine, Diane Coenen, Robert Duffy, Kevin Freber, Mark Frye, Jason Gallo, Jason Herzog, Tony Posnik, Laurie Sullivan-Murray, Brad Timm, Ivan Lam, Stan Riffle

Mayor Magnus called the Common Council Meeting to order at 7:30 PM.

## **Pledge of Allegiance**

## **Roll Call**

*A moment of silence was held for all those affected by the war in Israel.*

## **Public Hearing**

### **a. Olympia Planned Development Rezoning**

The purpose is to hear public comment on the rezoning of 2.37 acres from RMH (Residential Multi-Unit High) to RMH with a Planned Development Overlay located at 1350 Kari Court for the Locklyn Apartments development. The parcels are identified as Lot 1 (1.216 acres) and Lot 2 (1.153 acres) on a CSM yet to be approved and recorded. The lands are located on the NE and NW corners of the extensions of Pabst Road and Kari Court. The request is to rezone the parcels to maintain the underlying zoning district but add the lands to the adjacent Planned Development Overlay District known as PD-2-21, approved by the City on 9/21/21. The purpose of the PD overlay request is to allow the construction of two additional 23-residential unit buildings for a total of 46 new apartment units.

The hearing opened at 7:31 PM. Gallo gave a PowerPoint presentation. Mark Lake, Wangard Partners was available for questions. No other comments were received. The hearing closed at 7:41 PM.

### **b. Partial Vacation of Kari Court**

The purpose is to hear public comment on the proposed partial vacation of Kari Court which is being requested so the street can be relocated to better align with the future extension of Pabst Road. If the vacation is approved the intent is that 2 additional apartment buildings will be constructed which would be part of the Locklyn Apartments development. Council may, but is not required, to consider and act on the resolution at the 10/17/23 Council meeting.

The hearing opened at 7:41 PM. Gallo gave a PowerPoint presentation. No other comments were received. The hearing closed at 7:43 PM.

## **Approval of Meeting Minutes**

### **a. Minutes of October 3, 2023**

Motion to approve the Council minutes of October 3, 2023 made by Mulder and seconded by Aultman Kloth.

Motion carried 8-0-0.

**Consent Agenda (Items listed under the Consent Agenda are considered in one motion - a Council member may request to remove an item):**

Motion to approve the Consent Agenda made by Spiegelberg and seconded by Mulder.  
Motion carried 8-0-0.

- a. **Wastewater Utility Easement Agreement between City of Oconomowoc, Stonebridge Capital Unit 1, LLC and University of Wisconsin Credit Union**
- b. **Treasurer's Report**
  - 1. **Treasurer Report and Financials - September 2023**

**Committee Reports**

- a. **Public Services - Mulder, Chr; Aultman-Kloth, Secy; Ellis**

- 1. **Consider/act on Resolution 23-R3154 Awarding Contract to Upgrade the Oconomowoc Parkway Sanitary Sewer Relay**

Herzog reported that staff recommends the low bid of Dornier Construction which is under budget. Motion to adopt Resolution 23-R3154 awarding contract to upgrade the Oconomowoc Parkway Sanitary Sewer Relay as presented and to include "not-to-exceed" language in the resolution made by Ellis and seconded by Moroni.  
Motion carried 8-0-0.

- 2. **Consider/act on Resolution 23-R3152 Awarding Design Engineering Contract for 2024 Streets Program and Infrastructure Improvements and Associated Budget Amendment**

Herzog reported on the design engineering contract and stated a budget amendment will be needed in the amount of \$26,950.62. This is a not-to-exceed contract. Motion to adopt Resolution 23-R3152 awarding Design Engineering Contract for 2024 Streets Program and infrastructure improvements and the associated budget amendment as presented made by Rosek and seconded by Aultman Kloth.  
Motion carried 8-0-0.

- b. **Utility - Rosek, Chr; Ellis, Secy; Mulder**

- 1. **Consider/act on Hiring a Utility Locating, System Maintenance and Fleet Assistant Position in 2023**

Frye reported due to a recent extended leave of absence of our full-time locator, staff is requesting to hire the 2024 budgeted position to start in 2023. Motion to approve hiring a Utility Locating, System Maintenance and Fleet Assistant Position in 2023 made by Ellis and seconded by Aultman Kloth.  
Motion carried 8-0-0.

**Plan Commission**

Riffle stated the resolution for the partial Kari Court vacation needs to be adopted before the amendment of the Planned Development Overlay for Olympia Fields. Without objection Item b. was moved up on the agenda. Gallo displayed a picture of the area on the screen that he used in his Public Hearing PowerPoint.

- b. **Consider/act on Resolution 23-R3119 Vacating a Portion of Kari Court (19,547 SF) within the Olympia Fields Development**

Motion to adopt Resolution 23-R3119 vacating a portion of Kari Court (19,547 SF) within the Olympia Fields Development made by Rosek and seconded by Mulder.  
Motion carried 7-0-1. Voted no: Ellis.

**a. Consider/act on Ordinance 23-O1054 Amending Ordinance 21-O1018 Creating a Planned Development Overlay for Olympia Fields Located at 1350 Kari Court - 1st Reading**

Motion to adopt Ordinance 23-O1054 and waive the second reading made by Rosek and seconded by Aultman Kloth.  
Motion carried 7-0-1. Voted no: Ellis.

**c. Consider/act on Certified Survey Map for the Locklyn Apartments, Located at 1350 Kari Court**

Motion to approve the CSM for the Locklyn Apartments located at 1350 Kari Court made by Mulder and seconded by Spiegelberg.  
Motion carried 7-0-1. Voted no: Ellis.

### Unfinished/Old Business

**a. Consider/act on Ordinance 23-1052 to Repeal and Recreate Section 9.23 Fair Housing - 2nd Reading**

Riffle reported the first reading of the ordinance repealed the entire code and to address concerns, language has been added in to recreate the code referencing State Stats. §106.50.  
Motion to give the ordinance its second reading made by Schellpeper and seconded by Mulder.  
Motion carried 8-0-0.

### New Business

**a. Consider/act on Resolution 23-R3155 Providing for the Sale of Approximately \$6,615,000 General Obligation Promissory Notes, Series 2023A**

Greg Johnson from Ehlers provided an overview of the presale promissory note to provide financial funding for sewer extension and infrastructure projects in TID #7, which will be all debt service with no levy impact.  
Motion to adopt Resolution 23-R3155 providing for the sale of approximately \$6,615,000 General Obligation Promissory Notes, Series 2023A made by Mulder and seconded by Rosek.  
Motion carried 8-0-0.

**b. Consider/act on Resolution 23-R3153 Approving Construction Contract and Budget Amendment for the Oconomowoc Rotary Splashpad**

Frye reported the City will provide \$80K for the project and the funds will come from the 2023 contingency account. These funds will be used for Phase 1 of the project with Phase 2 being funded through donations received.  
Motion to adopt Resolution 23-R3135 approving construction contract and associated budget amendment for the Oconomowoc Rotary Splashpad made by Schellpeper and seconded by Aultman Kloth.  
Motion carried 8-0-0.

**c. Consider/act on New School Resource Officer (SRO) 2024 Agreement**

Frye reported it was mutually agreed to by the City and OASD to add another School Resource Officer (SRO) at the school. The OASD agreed to pay 75% of the cost for two SRO's and the City will pay 25%.  
Motion to approve the new SRO 2024 Agreement made by Aultman Kloth and seconded by Ellis.  
Motion carried 8-0-0.

**d. Consider/act on Ordinance 23-O1053 to Create Section 1.70 of the City of Oconomowoc Municipal Code Regarding Flag Display - 1st Reading**

Frye reported the ordinance contains two revisions; the word regularly was removed and flagpole inserted, as requested by the C-O-T-W. Schellpeper reported on the specific requirements/regulations of the ordinance.

Motion to adopt the ordinance and waive the second reading made by Schellpeper and seconded by Ellis.

Motion carried 8-0-0.

**e. Consider/act on Norden Range Developer's Agreement**

Motion to approve the Norden Range Developer's Agreement made by Spiegelberg and seconded by Aultman Kloth.

Motion carried 8-0-0.

**f. Consider/act on Direction for TID #8 Public/Private Partnership with Rockwell Partners/N. Main Street Redevelopment**

Magnus stated direction was given to staff in the Closed Session C-O-T-W and therefore, no action will be taken at this time.

**Staff Reports**

Sullivan-Murray handed out the 2024 Utility Budget Workbooks to Council and noted there are two memos and several spreadsheets in the front pocket of the binder. A C-O-T-W Utility Budget Workshop will be held on October 24<sup>th</sup> at 6:00 PM.

**Reports and Comments from the Aldermen**

Aultman Kloth requested staff provide a breakdown of the work the Marketing Intern performs for Duffy and the types of projects they are focused on; Economic Development, Tourism, or other.

**Reports and Comments from the Mayor**

Magnus referenced a flyer at Council stations about the Senior Source Resource Fair on Friday, October 20th.

**Adjourn**

Motion to adjourn made by Aultman Kloth and seconded by Schellpeper.

Motion carried 8-0-0.

The meeting adjourned at 8:26 PM.

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Minutes taken by Diane Coenen, City Clerk